

HOUSE BILL 3451  
By Sontany

AN ACT to amend Tennessee Code Annotated, Title 38  
and Title 40, relative to prohibiting the use of  
polygraph or similar devices under certain  
circumstances.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 3, Part 1, is amended by  
adding the following new section:

§38-3-123.

(a) It is an offense for a law enforcement officer to require or request any  
victim of a sexual offense, as defined in §40-39-202(17), or violent sexual  
offense, as defined in §40-39-202(25), to submit to a polygraph examination or  
any other test designed to detect deception or verify the truth of statements  
through instrumentation or by means of a mechanical device as a condition of  
such officer proceeding with the investigation of the offense.

(b) A violation of this section is a Class C misdemeanor punishable by  
fine only and may subject such officer to departmental disciplinary action.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.